

**REMARKS**

Claims 17, 19, 21, 23, 24, 36, 28, 29, 31, 32, 34, 36, 37, 39, 40, 42, 44, 45, 47, 48, 50, 52, 53, 55, 56, 58-60, 62, 63, and 65-76 are pending in this application. All claims currently stand rejected, and claims 17, 19, 21, 23, 24, 26, 34, 42, 50, 58, and 66 have been amended. Reconsideration and allowance of the present application are respectfully requested in light of the preceding amendments and following remarks.

**Examiner Interview**

Applicants thank the Examiner for his time and consideration during the interview of January 22, 2009. During the interview, the parties discussed the applied art to Yamane and discussed amendments for overcoming the same. Particularly, Applicants proposed amending the “indicator” to be a “single flag,” and the Examiner suggested further amending the claim to clarify that it was the value of the single flag that indicated either single or multiple reproduction paths. Applicants have amended the claims in accordance with the Examiner’s suggestion and have discussed their uniqueness over Yamane below. During the interview, the parties also discussed the current rejections under § 112 and agreed that amending the claims to recite a “recording medium” as originally recited would overcome this rejection.

Claim Rejections – 35 U.S.C. § 112

Claims 17, 19, 21, 23, and 24 stand rejected under 35 U.S.C. § 112, ¶ 1 for failing to comply with the written description requirement. Specifically, the Examiner alleges that “computer” as added to those claims via the previous amendment is not supported by the original specification. In order to expedite prosecution, Applicants have amended each of claims 17, 19, 21, 23, and 24 to remove the term “computer” and recite the “recording medium,” as originally recited in those claims. Applicants note that this change should not raise issues under § 101, as the recording medium contains executable data structures that impart significant function to machines interacting therewith, rendering the claims statutory. Withdrawal of the rejection to claims, 17, 19, 21, 23, and 24 is respectfully requested.

Claim Rejections – 35 U.S.C. § 103

Claims 17, 19, 21, 23, 24, 36, 28, 29, 31, 32, 34, 36, 37, 39, 40, 42, 44, 45, 47, 48, 50, 52, 53, 55, 56, 58-60, 62, 63, and 65-76 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over US Pat Pub 2002/0046328 to Okada (“Okada”) in view of EP Pat 0847198 to Yamane et al. (“Yamane”). Applicants respectfully traverse this rejection for the reasons detailed below.

With regard to claim 17, the Examiner applies Yamane to teach the “each third navigation unit associated with a different one of the multiple reproduction paths and identifying a separate file of video data in the data area to reproduce” by Yamane’s video objects VOB-B, etc. in FIG. 49. Applicants

have amended the claims to clarify the “**third navigation units [do] not include[e] video data.**” By the language of the claims, the third navigation units are separate files that do not contain video data but reference files that do store data. The VOB’s of Yamane include an angle interleave unit, A-ILVUb, that stores **content**, including video data. See Yamane, p. 36, l. 55 – p. 37, l. 46. Thus, the VOBs and A-ILVUbs of Yamane do not meet a third navigation unit as recited.

Further, with regard to claim 17, the Examiner applies Yamane to teach the indicator in the third navigation unit that indicates if “the corresponding at least one second navigation unit is provided for the multiple reproduction paths” with the **multiple Pc1c-type address pointers** of FIG. 49. Applicants respectfully submit that claim 17 have been amended to recite that the third navigation unit includes “**a single flag, the value of the single flag**” performing the indicating. A single address pointer in Yamane is not a flag whose value alone indicates if multiple reproduction paths are associated with the various angle interleave units. See Yamane, p. 36, l. 55 – p. 37, l. 46. Further, where Yamane does discuss a flag that indicates multiple reproduction paths with its multi-scene flag VOB\_Fp of FIG. 27, this **flag is created only in the encoder/reproduction device** and is not present on the recording medium, let alone in a navigation unit thereof. See Yamane, p. 38, l. 48 – p. 39, l. 15; FIG. 51. Thus, Yamane does not teach the single flag indicating multiple reproduction paths in claim 17 amended.

Okada does not cure the teaching and suggestion deficiencies discussed above with regard to Okada. Specifically, Okada does not disclose a media-based flag that indicates multiple reproduction path usage. Because Okada, alone or in combination with Yamane, fails to teach or suggest each and every feature of claim 17 as amended, these references cannot anticipate or render obvious claim 17. Claims 26, 34, 42, 50, 58 have been amended to recite the same unique feature as claim 17, discussed above, and are thus also allowable over Okada and Yamane. Claims 19, 21, 23, 24, 36, 28, 29, 31, 32, 36, 37, 39, 40, 44, 45, 47, 48, 52, 53, 55, 56, 59, 60, 62, 63, and 65-76 are allowable at least for depending from an allowable base claim. Withdrawal of the rejection to claims 17, 19, 21, 23, 24, 36, 28, 29, 31, 32, 34, 36, 37, 39, 40, 42, 44, 45, 47, 48, 50, 52, 53, 55, 56, 58-60, 62, 63, 65-76 under 35 U.S.C. § 103(a) is respectfully requested.

**CONCLUSION**

Accordingly, in view of the above amendments and remarks, reconsideration of the rejections and allowance of each of the pending claims of the present application is earnestly solicited.

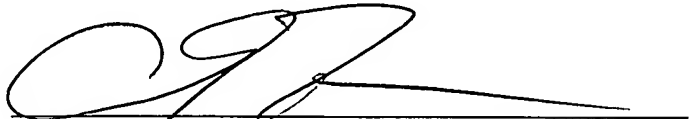
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Applicants' representative at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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By



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